

REMARKS

In the advisory action mailed October 18, 2004, the terminal disclaimer submitted September 7, 2004, was disapproved because there was allegedly no documentary evidence of a chain of title from the original inventors to the assignee. Accordingly, enclosed herewith is a copy of a Certificate under 37 C.F.R. §3.73(b) to Establish Right of Assignee to Take Action and an Assignment previously filed with the present application on January 22, 2002. Applicant respectfully submits that evidence of a chain of title from the original inventors to the assignee has been provided and the terminal disclaimer should therefore be approved.

Applicant respectfully submits that upon approval of the terminal disclaimer, the claims remaining in the present application, including claims 81, 83, 85, 87, 89, and 91 are all allowable as only a rejection under the doctrine of obviousness-type double patenting remained for those claims in the final rejection mailed May 4, 2004, and said rejection is overcome by the terminal disclaimer.

CONCLUSION AND AUTHORIZATION OF DEPOSIT ACCOUNT

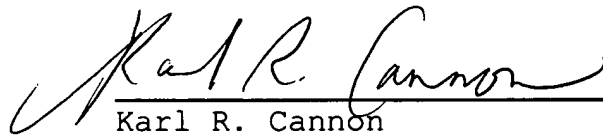
In view of the foregoing, applicants believe that claims 81, 83, 85, 87, 89, and 91 are all allowable and the same is respectfully requested. If any impediment to the allowance of these claims remains after entry of this Response, and such

impediment could be alleviated during a telephone interview, the Examiner is invited to initiate the same.

The Commissioner is hereby authorized to charge any additional fee or to credit any overpayment in connection with this Response to Deposit Account No. 50-0836.

DATED this 4 day of November, 2004.

Respectfully submitted,



Karl R. Cannon
Attorney Registration No. 36,468
Attorney for Applicant

Clayton, Howarth & Cannon, P.C.
P.O. Box 1909
Sandy, UT 84091
Telephone: (801) 255-5335
Facsimile: (801) 255-5338

KRC/CBV

S:\CHC Files\T 9--\T93--\T9376\DIV1\response d.wpd